UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

ROBERT B. SHEALY,
Plaintiff-Appellant,

v.

KENNETH S. APFEL, COMMISSIONER OF SOCIAL SECURITY,
Defendant-Appellee.

No. 00-1733

Appeal from the United States District Court
for the District of South Carolina, at Greenville.
David C. Norton, District Judge.
(CA-98-2068-6-18AK)

Submitted: November 9, 2000

Decided: November 17, 2000

Before WILKINS, WILLIAMS, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Robertson H. Wendt, Jr., ROBERTSON H. WENDT, P.A., Charleston, South Carolina, for Appellant. Frank W. Hunger, Assistant Attorney General, J. Rene Josey, United States Attorney, James D. McCoy, III, Assistant United States Attorney, Deana R. Ertl-Lombardi, Chief Counsel, Region VIII, Thomas S. Inman, Assistant Regional Counsel, SOCIAL SECURITY ADMINISTRATION, Denver, Colorado, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

Robert Shealy appeals from the district court's order granting summary judgment to the Commissioner of Social Security on his claim for disability benefits. Shealy claims that the administrative law judge (ALJ) erred when the ALJ found that: (1) Shealy's past relevant work as an assistant principal and administrative assistant to the superintendent of schools was most like that of an educational consultant, as defined in the *Dictionary of Occupational Titles*; and (2) Shealy was able to perform sedentary work despite his chronic neck pain. Having reviewed the briefs and the administrative record, we find that substantial evidence supported the ALJ's decision denying benefits.

Shealy also claims that the ALJ erred in conducting the fourth step in his sequential analysis because he did not consult a vocational expert to determine the nature of Shealy's past relevant work. Because this issue was not raised below, we decline to consider it on appeal. *See Bregman, Berbert & Schwartz, L.L.C. v. United States*, 145 F.3d 664, 670 n.8 (4th Cir. 1998); *see also Pass v. Chater*, 65 F.3d 1200, 1205 (4th Cir. 1995).

Accordingly, we affirm on the reasoning of the district court. *See Shealy v. Apfel*, No. CA-98-2068-6-18AK (D.S.C. Mar. 29, 2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED